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7 Laurie J. Bartilson  
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12 Attorneys for Plaintiff  
13 CHURCH OF SCIENTOLOGY  
14 INTERNATIONAL

RECEIVED

FEB 20 1993

HUB LAW OFFICES

15 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
16 FOR THE COUNTY OF LOS ANGELES

17 CHURCH OF SCIENTOLOGY )  
18 INTERNATIONAL, a California not-for-profit )  
19 religious corporation, )

20 Plaintiff,

21 vs.

22 GERALD ARMSTRONG; DOES 1 through )  
23 25, inclusive, )

24 Defendants.

CASE NO. BC 052395

PLAINTIFF'S REPLY TO  
DEFENDANT'S OPPOSITION TO  
PLAINTIFF'S MOTION TO  
COMPEL ANSWERS TO  
DEPOSITION QUESTIONS AND  
THE PRODUCTION OF  
DOCUMENTS PURSUANT TO  
NOTICE OF DEPOSITION;  
REQUEST FOR SANCTIONS  
AGAINST ARMSTRONG AND  
FORD GREENE PURSUANT TO  
C.C.P. §§ 2025(o) AND 2023;  
DECLARATION OF LAURIE J.  
BARTILSON

DATE: February 19, 1993  
TIME: 8:30 a.m.  
DEPT: 30

DISCOVERY CUT-OFF: None  
MOTION CUT-OFF: None  
TRIAL DATE: May 3, 1992

25 I. INTRODUCTION

26 Defendant Gerald Armstrong's sole response to plaintiff Church of  
27 Scientology International ("the Church")'s meritorious motion to compel is an  
28

1 argument that the motion should be denied because it was filed one day too late.  
2 Armstrong is mistaken. The motion was not filed "too late;" indeed, as  
3 demonstrated below, the motion was filed only thirty days after the completion of  
4 the record of Armstrong's deposition, 30 days earlier than the necessary filing  
5 deadline. Because Armstrong has offered literally no opposition to the substance  
6 of the timely motion, and because the Church has demonstrated in its moving  
7 papers that it is fully entitled to the relief sought, the Church's motion should be  
8 granted in its entirety. Further, because Armstrong and his counsel have actively  
9 and deliberately delayed discovery in this matter, and have now opposed a  
10 meritorious motion to compel without substantial justification, this Court should  
11 impose a monetary sanction pursuant to C.C.P. §§ 2025(o) and 2023.

## 12 **II. ARGUMENT**

### 13 **A. Plaintiff's Motion Was Timely Filed.**

14 Armstrong's deposition in this case was taken over a four-month period, for  
15 no other reason than that Armstrong refused to conduct his deposition in any other  
16 fashion. As detailed in the moving papers, Armstrong and his counsel delayed  
17 every attempt to take or continue the deposition, and unilaterally ended each day  
18 of deposition at whatever time they saw fit.<sup>1</sup> As a result, the deposition was  
19 always continued by plaintiff's counsel, and never concluded until the final date,  
20 October 8, 1992. [Ex. D, Deposition of Gerald Armstrong, October 8, 1992, pp.  
21 521 - 522] On October 8, the parties stipulated as follows concerning the  
22 completion of the transcript of the deposition:

23 MR. GREENE: Let's see. Yes. I just want to have the stipulation that  
24

---

25 <sup>1</sup> For example, the first day of deposition, June 24, 1992, began at 10:20 a.m.  
26 and was ended at 4:30 p.m. [Ex. A, June 24, 1992 Deposition, pp. 3, 176 - 178]  
27 The second day, July 22, 1992, began at 9:30 a.m., but was ended by Armstrong  
28 at 1:30 p.m. [Ex. B, July 22, 1992 Deposition, pp. 181, 291 - 294] On October 7,  
1992, Armstrong began at 10:00 a.m., and ended the deposition at 2:00 p.m. [Ex.  
C, October 7, 1992 Deposition, pp. 297, 362 -363, 411]

1 a copy that we obtain will suffice for review purposes so that Mr.  
2 Armstrong need not sally forth to your office, Madam Court Reporter,  
3 to conduct a review.

4 MS. BARTILSON: So the court reporter will send to you a copy of the  
5 deposition?

6 MR. GREENE: Correct.

7 MS. BARTILSON: Which he may review?

8 MR. GREENE: Right.

9 MS. BARTILSON: How long does he want?

10 MR. GREENE: Standard time. Thirty days.

11 MS. BARTILSON: And copies of the deposition, in the meantime, can  
12 be used for any purpose and corrected copies can be used for any  
13 purposes in this litigation?

14 MR. GREENE: No, I won't stipulate that copies can be used without  
15 limitation for any purpose, because without him having a chance to  
16 review it, I won't do that.

17 MS. BARTILSON: Once he's reviewed it?

18 MR. GREENE: Yes, of course. The corrections.

19 MS. BARTILSON: The corrections, once you have completed them,  
20 you will forward the corrections to me as I will be the custodian of the  
21 original transcript and the corrections.

22 MR. GREENE: Yes, that's fine.

23 MS. BARTILSON: And a corrected transcript can be used for any  
24 purposes in this litigation.

25 MR. GREENE: Yeah.

26 MS. BARTILSON: So stipulated.

27 [Ex. D, pp. 522-523 (emphasis supplied).]

28 The court reporter completed her transcription of the third day of

1 Armstrong's deposition on October 22, 1992. [Ex. E, Certificate of Reporter]  
2 Armstrong reviewed that transcript and did not forward his corrections to the  
3 reporter until November 17, 1992. [Ex. F, Letter from Armstrong] The reporter, in  
4 turn, forwarded the corrections to counsel for plaintiff by letter of November 19,  
5 1992. [Ex. G] Even then, however, the record was not "complete." The court  
6 reporter did not complete her transcription of the final day of Armstrong's  
7 deposition until November 6, 1992. [Ex. E, Certificate of Reporter] At that time,  
8 the reporter forwarded a copy of the deposition transcript to Armstrong, giving  
9 Armstrong thirty days to review the transcript and correct it. Armstrong made no  
10 corrections, but the transcript could not be deemed complete until he had been  
11 given the thirty days in which to do so. C.C.P. § 2025(q); stipulation of counsel,  
12 Ex. D. On December 7, 1992, the court reporter forwarded the original transcript  
13 to plaintiff's counsel, along with a certification indicating that no response had  
14 been received to the notification sent to Armstrong. [Ex. H, Letter of December 7,  
15 1992; Ex. I, Certificate of Reporter]

16 C.C.P. § 2025(o) plainly provides, in relevant part, that a motion to compel,  
17 "shall be made no later than 60 days after the completion of the record of the  
18 deposition" (emphasis supplied). By Armstrong's own stipulation -- indeed,  
19 insistence -- the record of the deposition in this case was not "completed" until  
20 Armstrong had finished making his corrections to the record, and the corrections  
21 were forwarded to plaintiff's counsel by the court reporter, or until the time for  
22 making those corrections had run. According to the stipulation required of  
23 plaintiff's counsel by Mr. Greene, the deposition transcript could not be used in  
24 this action for any purpose (which obviously includes a motion to compel) until  
25 after Armstrong had completed his review and correction. The sixty-day period  
26 provided by the statute, then, did not begin to run until, at the earliest, December  
27 7, 1992, when Armstrong's review period for his final date of deposition had  
28 ended, and the reporter forwarded the completed transcript to counsel. The

1 Church's motion was filed and served on January 6, 1993, only 30 days after the  
2 record was completed. This is well within the statutory period of sixty days.

3 Armstrong's subsidiary argument that the earlier sessions of his deposition  
4 should be counted separately, such that plaintiff should have brought individual  
5 motions to compel on each of them, is pure nonsense. Such a circumstance does  
6 not present an "undecided" question of law (Oppo., p. 3); C.C.P. § 2025(m)(4)  
7 plainly provides that,

8 If a deponent fails to answer any question or to produce any  
9 document or tangible thing under the deponent's control that is  
10 specified in the deposition notice or a deposition subpoena, the party  
11 seeking that answer or production may adjourn the deposition or  
12 complete the examination on other matters without waiving the right  
13 at a later time to move for an order compelling that answer or  
14 production under subdivision (o).

15 (Emphasis supplied.) Mr. Armstrong's examination was not concluded until  
16 October 8, 1992. At each deposition session prior to that time, Mr. Armstrong  
17 left, unilaterally, and without permitting counsel for plaintiff to complete the  
18 examination. He and his counsel determined when they would leave and dictated  
19 when they would deign to reappear, with full understanding and agreement that  
20 the examination of Mr. Armstrong was not complete. No motion to compel was  
21 due to be filed until after the completion of the record of the final day of  
22 deposition. Indeed, no motion to compel could reasonably have been filed until  
23 counsel had completed her examination and ascertained which questions  
24 Armstrong consistently refused to answer. To hold otherwise would require  
25 parties to bring repeated motions to compel after incomplete deposition sessions  
26 an inefficient way to proceed that is plainly not contemplated by the Code.

27 In short, plaintiff's motion was not only timely, it was filed 30 days before  
28 the deadline articulated in the Code, and within two weeks of plaintiff's detailed

1 meet and confer letter which Armstrong's counsel refused to answer. [Ex. BB to  
2 Moving Papers]

3 **B. Armstrong Has Failed To Meet His Burden Of Establishing**  
4 **The Merits Of His Claims Of Privilege**

5 It is well-settled in California that "[t]he burden of establishing that a  
6 particular matter is privileged is on the party asserting that privilege." San Diego  
7 Professional Association v. Superior Court (1962) 58 C.2d 194, 199, 23 Cal.Rptr.  
8 384, 387 (citations omitted). Indeed, whenever a deponent objects to a question  
9 and refuses to answer, he "bears the burden of justifying such refusal on the  
10 motion to compel." Weil & Brown, Civil Procedure Before Trial (1992), Vol. II, §  
11 8:814.

12 In opposing the Church's motion, Armstrong has offered no justification  
13 whatsoever for any of his refusals to respond to discovery. As the Church's  
14 motion was served more than five weeks ago, Armstrong has had more than ample  
15 time in which to prepare and file such a justification, if he had one. Moreover, as  
16 set forth in detail in the Moving Papers and the accompanying Separate Statement,  
17 each of the questions asked was highly relevant, and Armstrong's assertions of  
18 privilege were improper. Accordingly, the Church's motion should be granted in its  
19 entirety.

20 **C. Defendant And His Counsel Should Be Sanctioned For**  
21 **Opposing Plaintiff's Motion Without Substantial**  
22 **Justification**

23 C.C.P. Section 2025(o) also provides that "[t]he court shall impose a  
24 monetary sanction under Section 2033 against any party, person or attorney who  
25 unsuccessfully. . .opposes a motion to compel answer or production, unless it  
26 finds that the one subject to the sanction acted with substantial justification. . . ."  
27 Here, it is manifest that Armstrong had no such justification for opposing plaintiff's  
28 motion. His history concerning discovery has been nothing but delay and

1 obstruction; the objections he raised to valid questions were so apparently  
2 frivolous, even to him, that he has made no argument to support them to this  
3 Court. Finally, the only argument which he did make -- untimeliness -- was  
4 patently based on a false representation to the Court of the record in this matter,  
5 which omitted his own counsel's stipulation and agreement as to the completion of  
6 the record herein and the availability of deposition transcripts for use.

7 The Code's sanction provision was specifically designed for litigants like  
8 Armstrong and his counsel. They have, between them, abused the discovery  
9 process as follows:

10 ♦ They delayed discovery for seven months by refusing arbitrarily to  
11 appear for deposition [Moving Papers, pp. 2 - 5];

12 ♦ Once in deposition, Armstrong's counsel raised frivolous objections,  
13 and refused to permit Armstrong to answer relevant questions. Indeed, Armstrong  
14 often refused to answer questions even when he was not so instructed by counsel  
15 [Id., pp. 5 - 10];

16 ♦ Armstrong refused to produce any documents at all, variously insisting  
17 that plaintiff pay him thousands of dollars first, or that all of his documents were  
18 privileged [Id., pp. 3 - 5];

19 ♦ They delayed the completing of the record herein by refusing to  
20 stipulate to the use of an uncorrected deposition transcript, and then failing to  
21 correct the final day's transcript [Part II A, supra];

22 ♦ Armstrong's counsel refused to meet and confer with plaintiff's  
23 counsel concerning any of the deposition questions or document requests,  
24 requiring plaintiff to incur the expense of making this motion [Moving Papers, p. 5];

25 ♦ They opposed this motion by attempting to attribute their delay in the  
26 completion of the record herein to plaintiff, and accusing plaintiff of filing this  
27 motion "one day too late," when in fact the motion was made only thirty days  
28 after the completion of the deposition record [Part II A & B, supra];

1           ♦     They offered absolutely no justification for any of their refusals to  
2 answer or to produce documents.

3           Under these circumstances, plaintiff requests that the Court impose  
4 sanctions of \$1500 on Armstrong and his counsel. [Declaration of Laurie J.  
5 Bartilson]

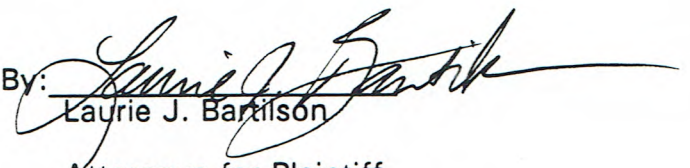
6                                   **III. CONCLUSION**

7           Armstrong has offered no opposition to plaintiff's meritorious motion, except  
8 to claim that it is "untimely." However, the motion was filed only thirty days after  
9 completion of the record of the deposition of Armstrong which is the subject of the  
10 motion, well within the sixty days allowed by statute. The burden is on Armstrong  
11 to justify the objections which he raised to questions asked by plaintiff; he has  
12 offered none. Plaintiff, in contrast, has provided the Court with well-reasoned  
13 arguments explaining why it is entitled to the discovery sought. Accordingly,  
14 plaintiff's motion must be granted in full, and defendant and his counsel order to  
15 pay to plaintiff its costs of making this motion of \$1500.

16 Dated: February 17, 1993

Respectfully submitted,

17                                   BOWLES & MOXON

18  
19 By: 

Laurie J. Bartilson

20                                   Attorneys for Plaintiff  
21 CHURCH OF SCIENTOLOGY  
22 INTERNATIONAL  
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1. I am an attorney, licensed to practice law in the State of California. I am a partner in the law firm of Bowles & Moxon and am counsel of record for plaintiff and cross-defendant Church of Scientology International ("CSI") in the above-referenced action. I have personal knowledge of the matters set forth herein and, if called upon to do so, could and would competently testify thereto.

Executed this 17th day of February, 1993 at Los Angeles, California.

  
LAURIE J. BARTILSON



IN AND FOR THE SUPERIOR COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

--oOo--

CHURCH OF SCIENTOLOGY  
INTERNATIONAL, a California  
not-for-profit religious  
corporation,

Plaintiff,

vs.

Case No. BC 052395

GERALD ARMSTRONG; DOES 1  
through 25, inclusive,

Defendants.

DEPOSITION OF

GERALD ARMSTRONG

-----  
Wednesday, June 24, 1992

REPORTED BY: SUSAN M. SKIGEN, CSR #5829

MARY HILLABRAND INC.

CERTIFIED SHORTHAND REPORTERS

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IN AND FOR THE SUPERIOR COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

--oOo--

CHURCH OF SCIENTOLOGY  
INTERNATIONAL, a California  
not-for-profit religious  
corporation,

Plaintiff,

vs.

Case No. BC 052395

GERALD ARMSTRONG; DOES 1  
through 25, inclusive,

Defendants.

BE IT REMEMBERED on Wednesday, June 24,  
1992, commencing at 10:20 a.m. thereof, at the Law  
Offices of WILSON, RYAN & CAMPILONGO, 235 Montgomery  
Street, Suite 450, San Francisco, California 94104,  
before me, SUSAN M. SKIGEN, Certified Shorthand Reporter  
No. 5829 for the State of California, personally  
appeared

GERALD ARMSTRONG,

called as a witness, who having been first duly sworn,  
was examined and interrogated as hereinafter set forth.

--oOo--

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1 MR. WILSON: Wait a minute. No, yeah, it's  
2 okay.

3 MR. GREENE: Is that all right?

4 MR. WILSON: Yes, the first is okay.

5 Well, I guess I got another two minutes  
6 here.

7 Q. Did you get a copy of the videotape of the  
8 signing?

9 A. No.

10 Q. Did you ask for one?

11 A. I don't recall if I did. I didn't get one  
12 in any case.

13 Q. Have you ever looked at that videotape?

14 A. No.

15 Q. Do you know whether Mr. Flynn got one?

16 A. I don't.

17 Q. Did you get copies of the settlement  
18 agreement and the other documents you signed?

19 A. I got some of them. I did not get others.

20 Q. Do you know which ones you didn't get?

21 A. I didn't get the affidavit. I didn't, I  
22 think there's another, I'm just not sure. I have this  
23 document and I think I have one more document and that  
24 was all I got.

25 Q. The record should reflect when the witness

1 said this document, he was referring to Exhibit --

2 MR. GREENE: Six.

3 MR. WILSON: -- No. 6.

4 Q. The one that's right in front of you now,  
5 is that the one you meant, Mr. Armstrong?

6 A. Right.

7 Q. My watch says exactly 4:30. I don't want  
8 to -- if you want to leave at 4:30, you should leave.  
9 We're not going to get that much further anyway.

10 MR. GREENE: Okay.

11 MS. BARTILSON: Can we just take two  
12 minutes?

13 MR. WILSON: No, we've really got to go.

14 MS. BARTILSON: You said 4:30 to 5:00. I'm  
15 not trying to be a jerk about this. If you won't give  
16 me a date, then I'd just like a couple of, just to make  
17 sure there's not something I wanted to ask you right  
18 now, okay, unless you give me that you're definitely  
19 coming back on the 30th or 1st because you're not being  
20 definite.

21 MR. GREENE: I can't.

22 (Discussion off the record.)

23 MR. GREENE: I can't.

24 MS. BARTILSON: Then just give me two  
25 minutes is all I'm asking.

1 MR. GREENE: We're done for today's  
2 session, okay.

3 MS. BARTILSON: I don't think that's right.

4 MR. GREENE: That is right because I'm  
5 telling you now that we are.

6 MS. BARTILSON: Well, we'll expect to see  
7 you back here on the 30th, you told me earlier you were  
8 free for the entire week and you know you did, so I  
9 expect to see you.

10 MR. GREENE: You can have as many little  
11 snippy expectations as you desire, I will check with my  
12 calendar and I will call you tomorrow.

13 MR. WILSON: Please do.

14 (Whereupon the deposition was adjourned at  
15 4:30 p.m. thereof.)

16 ----oOo----

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GERALD ARMSTRONG

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CERTIFICATE OF REPORTER

I, the undersigned, a Certified Shorthand Reporter of the State of California, hereby certify that the witness in the foregoing deposition was by me duly sworn to testify to the truth, the whole truth, and nothing but the truth in the within-entitled cause; that said deposition was taken at the time and place therein stated; that the testimony of said witness was reported by me, a Certified Shorthand Reporter and disinterested person, and was thereafter transcribed under my direction into typewriting; that the foregoing is a full, complete and true record of said testimony; and that the witness was given an opportunity to read and, if necessary, correct said deposition and to subscribe the same.

I further certify that I am not of counsel or attorney for either or any of the parties in the foregoing deposition and caption named, nor in any way interested in the outcome of the cause named in said action.

IN WITNESS WHEREOF, I have hereunder set my hand and affixed my signature this JUL 09 1992 day of 19



CERTIFIED SHORTHAND REPORTER

STATE OF CALIFORNIA

**MARY HILLABRAND**  
**& ASSOCIATES**

CERTIFIED SHORTHAND REPORTERS  
A Professional Corporation

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IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF LOS ANGELES

--oOo--

CHURCH OF SCIENTOLOGY INTERNATIONAL,  
a California not-for-profit religious  
corporation,

**CERTIFIED  
COPY**

Plaintiff,

vs.

No. BC 052395

GERALD ARMSTRONG; DOES 1 through 25,  
inclusive,

Defendants.

---

DEPOSITION OF  
GERALD ARMSTRONG

---

Wednesday, July 22, 1992  
Volume II, Pages 179 - 293

REPORTED BY: KATHERINE NG, CSR NO. 6350

---

MARY HILLABRAND INC.

CERTIFIED SHORTHAND REPORTERS

---

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PHONE 415 / 788-5350 FAX 415 / 788-0657

1 BE IT REMEMBERED that on Wednesday, July 22,  
2 1992, commencing at 9:30 a.m., thereof, at the Law  
3 Offices of WILSON, RYAN & CAMPILONGO, 235 Montgomery  
4 Street, Suite 450, San Francisco, California 94105,  
5 before me, KATHERINE L. NG, a Certified Shorthand  
6 Reporter in and for the State of California, personally  
7 appeared

8 GERALD ARMSTRONG,

9 called as a witness who, having been previously sworn,  
10 was examined and testified as follows:

11 --oOo--

12  
13  
14  
15 A P P E A R A N C E S

16  
17 WILSON, RYAN & CAMPILONGO, 235 Montgomery  
18 Street, Suite 450, San Francisco, California 94105,  
19 represented by ANDREW WILSON, Attorney at Law, appeared  
20 as counsel on behalf of the Plaintiff.

21 HUB LAW OFFICES, 711 Sir Francis Drake  
22 Boulevard, San Anselmo, California 94960, represented by  
23 FORD GREENE, Attorney at Law, appeared as counsel on  
24 behalf of the Defendant.

25 ALSO PRESENT: MATTHEW WARD.

1 A. Thanks.

2 Q. What poem does the Gerald Armstrong Corporation  
3 have?

4 A. I call it the Nonconceivably Scientological  
5 Poem.

6 Q. What is it about? What is in it?

7 A. Hard core poetry, art, essays, that's it.

8 Q. And why is it, why do you call it the  
9 Nonconceivable Scientological Poem?

10 A. Because it has nothing to do with Scientology  
11 in the sense that you use it.

12 Q. Except for the title; right?

13 A. Right. But that's only because you make a  
14 distinction. You connect things. That's what lawyers  
15 do. They connect this to that. They say there's some  
16 connection. All things are connected.

17 Q. So you title this poem because of something I  
18 connected? I don't understand. Maybe you can help me a  
19 little bit. How does it --

20 A. I think that it's a good time to leave you with  
21 this poem because it's now 13:32.

22 Q. You did say you would leave at 1:32, and it's  
23 1:32, and as I said, I can't chain the door.

24 MR. GREENE: General housekeeping. I wasn't  
25 served a subpoena. My deposition is to be taken on the

7 1 proposed date of July 31. As I told you during the  
2 break, I will be on vacation from July 28 through August  
3 7, so I won't be available for that.

4 My primary concern is the fact that a request  
5 for production was affixed to that notice of deposition,  
6 and what I need to know from you is whether you'll  
7 require me to file my objections timely at this point or  
8 whether or not I can do it at some later time when I'm  
9 renoticed.

10 MR. WILSON: I don't have a problem with filing  
11 objections at a later point. I would like to try to  
12 agree on a continuation date for this deposition and  
13 hopefully not on the record.

14 MR. GREENE: Sure.

15 MR. WILSON: And for Mr. Armstrong's deposition  
16 as well.

17 MR. GREENE: Sure. And the other thing is to  
18 make it official that I will be gone thorough that three  
19 week period of time. And I will inquire, not that you  
20 have to tell me, but as a matter of courtesy, whether  
21 there will be any motions or any actions that your client  
22 is planning during that period of time while I'm gone is  
23 my primary concern.

24 MR. GREENE: Well, there is nothing pending  
25 right now being planned. As I mentioned to you in the

1 discourse here, it is my recommendation to amend the  
2 complaint. We need a motion for that or else a  
3 stipulation.

4 MR. GREENE: I think that probably we can do  
5 that by stipulation. Based on the testimony here today,  
6 I assume that you would amend your complaint in at least  
7 three regards, if we can talk about that. It is not the  
8 kind of thing we would disagree about, and it would be  
9 easier by stipulation.

10 MR. WILSON: The only thing we would do is to  
11 do it by a motion to compel. I can't imagine getting the  
12 transcript filed and heard. Unless some emergency comes  
13 up, the answer is no.

14 MR. GREENE: Fine.

15 MR. WILSON: Off the record.

16 (Off-the-record discussion.)

17 MR. WILSON: Mr. Greene has given me the  
18 following dates as being available for his or Mr.  
19 Armstrong's deposition: August 19, 20, 26, 27 and 28. I  
20 have informed Mr. Greene, I may very well be in trial on  
21 those dates, and I will have clear them with co-counsel,  
22 Ms. Bartilson and will get back to you hopefully today or  
23 tomorrow.

24 (The deposition was adjourned at 1:40 p.m.)  
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Signature of Witness

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**MARY HILLABRAND INC.**

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PHONE 415 / 788-5350 FAX 415 / 788-0657

CERTIFICATE OF REPORTER

I, the undersigned, a Certified Shorthand Reporter of the State of California, hereby certify that the witness in the foregoing deposition was by me duly sworn to testify to the truth, the whole truth, and nothing but the truth in the within-entitled cause; that said deposition was taken at the time and place therein stated; that the testimony of said witness was reported by me, a Certified Shorthand Reporter and disinterested person, and was thereafter transcribed under my direction into typewriting; that the foregoing is a full, complete and true record of said testimony; and that the witness was given an opportunity to read and, if necessary, correct said deposition and to subscribe the same.

I further certify that I am not of counsel or attorney for either or any of the parties in the foregoing deposition and caption named, nor in any way interested in the outcome of the cause named in said action.

IN WITNESS WHEREOF, I have hereunder set my hand and affixed my signature this JUL 28 1992, 19    

  
CERTIFIED SHORTHAND REPORTER

STATE OF CALIFORNIA

MARY HILLABRAND INC.

CERTIFIED SHORTHAND REPORTERS

520 SUTTER STREET / 6TH UNION SQUARE SAN FRANCISCO, CA 94102

PHONE 415 / 788-5350 FAX 415 / 788-0657



1 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

2 IN AND FOR THE COUNTY OF MARIN

3 --oOo--

4  
5 CHURCH OF SCIENTOLOGY )  
6 INTERNATIONAL, a California )  
7 not-for-profit religious )  
8 corporation, )

9 Plaintiff, )

10 vs. )

11 GERALD ARMSTRONG; DOES 1-25, )  
12 inclusive, )

13 Defendants. )  
14 )  
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25 )

**CERTIFIED  
COPY**

No. BC 052395

DEPOSITION OF

GERALD ARMSTRONG

Volume III

October 7, 1992

REPORTED BY: LARRY BOSTOW, CSR# 5941

**MARY HILLABRAND INC.**

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1 BE IT REMEMBERED that on Wednesday, October  
2 7, 1992, commencing at 10 a.m. thereof, at 235 Montgomery  
3 Street, Suite 450, San Francisco, California, before me,  
4 LARRY BOSTOW, a Certified Shorthand Reporter in and for  
5 the State of California, personally appeared

6 GERALD ARMSTRONG,

7 who, having been first duly sworn, was examined and  
8 testified as follows:

9 --oOo--

10  
11  
12 BOWLES & MOXON, 6255 Sunset Boulevard, Suite  
13 2000, Hollywood, California 90028, represented by LAURIE  
14 J. BARTILSON, Attorney at Law, appeared as counsel on  
15 behalf of the Plaintiff.

16  
17 HUB LAW OFFICES, 711 Sir Francis Drake  
18 Boulevard, San Anselmo, California 94960, represented by  
19 FORD GREENE, Attorney at Law, appeared as counsel on  
20 behalf of the Defendants.

21  
22 Also present: Mathew Ward.

23  
24 --oOo--

1 potential actions specifically, and that I was greatly  
2 freed by the ruling from what could have been a -- an  
3 injunction.

4 Q. You were freed from what could have been an  
5 injunction; is that what you said?

6 A. Right. As to the things which he  
7 specifically did not enjoin me regarding.

8 Q. When you are talking about the Sohigian  
9 ruling, just so the record is straight, you are talking  
10 about the order made by Judge Sohigian concerning  
11 Plaintiffs' motion for preliminary injunction?

12 A. Yes.

13 (Off the record.)

14 MS. BARTILSON: Before we started the  
15 deposition, you said that you were leaving at 2:30,  
16 unilaterally, even though the deposition is noticed day  
17 to day, for yesterday, actually. You couldn't come  
18 yesterday. And now you are here today, and you are  
19 leaving at 2:30.

20 Now you tell me you are leaving at 2:00, and  
21 the reason is because we are not taking a lunch break;  
22 correct?

23 MR. GREENE: That's correct, yes. I don't  
24 think it was on the record, but after the court reporter  
25 needed to take a break, you indicated we could take a

1 short lunch break. So I said: "No, no lunch break.  
2 Rather than a lunch break, we'll leave at 2:00." A half  
3 an hour is a short lunch break. That's it.

4 Let's go.

5 MS. BARTILSON: You also told me, before we  
6 started the deposition, you would be here for a full day  
7 tomorrow.

8 MR. GREENE: That's right.

9 MS. BARTILSON: And that is still your  
10 claim?

11 MR. GREENE: Absolutely. A full day of fun,  
12 chills, thrills, and excitement.

13 THE WITNESS: Maybe we could compromise: We  
14 could take a short lunch break and leave at 1:30.

15 MR. GREENE: Let's go.

16 MS. BARTILSON: Cute.

17 MR. GREENE: Come on, let's go.

18 MS. BARTILSON: Q. Before we took our  
19 break, you had testified, Mr. Armstrong, that in 1992 you  
20 had spoken to reporters -- besides the two times we  
21 discussed: with CNN and with Bill Horne -- on  
22 approximately ten occasions.

23 Could you identify for me the reporters that  
24 you spoke with?

25 MR. GREENE: Wait a minute. Even though

1 MS. BARTILSON: Well, it's never a good  
2 time.

3 MR. GREENE: Well, of course, interrogation  
4 for life is normal.

5 Are you done with this area?

6 MS. BARTILSON: I'm done with this area.

7 MR. GREENE: Okay. Let's call it quits.

8 (The deposition was adjourned at 2:05 p.m.)

9 --oOo--

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\_\_\_\_\_  
Signature of the witness

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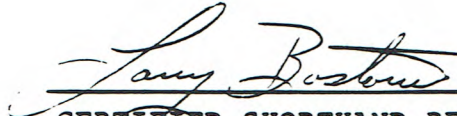
25

CERTIFICATE OF REPORTER

I, the undersigned, a Certified Shorthand Reporter of the State of California, hereby certify that the witness in the foregoing deposition was by me duly sworn to testify to the truth, the whole truth, and nothing but the truth in the within-entitled cause; that said deposition was taken at the time and place therein stated; that the testimony of said witness was reported by me, a Certified Shorthand Reporter and disinterested person, and was thereafter transcribed under my direction into typewriting; that the foregoing is a full, complete and true record of said testimony; and that the witness was given an opportunity to read and, if necessary, correct said deposition and to subscribe the same.

I further certify that I am not of counsel or attorney for either or any of the parties in the foregoing deposition and caption named, nor in any way interested in the outcome of the cause named in said action.

IN WITNESS WHEREOF, I have hereunder set my hand and affixed my signature this \_\_\_\_\_ day OCT 23 1992, 19\_\_\_\_

  
CERTIFIED SHORTHAND REPORTER  
STATE OF CALIFORNIA

MARY HILLABRAND INC.

CERTIFIED SHORTHAND REPORTERS

520 SUTTER STREET / 6TH UNION SQUARE SAN FRANCISCO, CA 94102

PHONE 415 / 788-3350 FAX 415 / 788-0657



1 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

2 IN AND FOR THE COUNTY OF MARIN

3 --ooo--

4  
5 **CERTIFIED**  
6 **COPY**

5 CHURCH OF SCIENTOLOGY  
6 INTERNATIONAL, a California  
7 not-for-profit religious  
8 corporation,

9 Plaintiff,

10 vs.

11 No. BC 052395

12 Gerald Armstrong; Does 1-25,  
13 inclusive,

14 Defendants.  
15 \_\_\_\_\_/

16 DEPOSITION OF

17 GERALD ARMSTRONG

18 \_\_\_\_\_  
19 Thursday, October 8, 1992

20 VOLUME IV

21  
22  
23  
24  
25 REPORTED BY: BARBARA H. STOCKFORD, CSR No. 4575

MARY HILLABRAND INC.

CERTIFIED SHORTHAND REPORTERS

520 SUTTER STREET / off UNION SQUARE SAN FRANCISCO, CA 94102

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--o0o--

BE IT REMEMBERED that on Thursday, October 8, 1992, commencing at the hour of 10:00 a.m. thereof, at 235 Montgomery Street, Suite 450, San Francisco, California 94105, before me, Barbara H. Stockford, a Certified Shorthand Reporter, there personally appeared

GERALD ARMSTRONG,

called as a witness, who, being by me first duly sworn, was thereafter examined and testified as hereinafter set forth.

--o0o--

A P P E A R A N C E S

BOWLES & MOXON, Attorneys At Law, 6255 Sunset Boulevard, Suite 2000, Hollywood, California, 90028, represented by LAURIE J. BARTILSON, Attorney at Law, appeared as counsel on behalf of the Plaintiff.

HUB LAW OFFICES, 711 Sir Francis Drake Boulevard, San Anselmo, California, 94960, represented by FORD GREENE, Attorney at Law, appeared as counsel on behalf of the Defendants.

ALSO PRESENT: MR. MATT WARD, BOWLES & MOXON.

--o0o--

1 documents responsive to that request?

2 A. I have documents in response to parts of it,  
3 and the corporation has documents. And my understanding  
4 is this is a very difficult paragraph to understand; that  
5 the corporation has some documents which, if I read it  
6 right, refer in some way to the Internal Revenue Service.  
7 The corporation has corresponded with the Internal  
8 Revenue Service.

9 Q. The corporation has literary artistic work  
10 which refers or relates to the Internal Revenue Service?

11 A. Correct.

12 Q. But it doesn't have any which refer or  
13 relate to your experiences with any of the entities or  
14 individuals listed in the settlement agreement?

15 A. Correct.

16 Q. But you have documents?

17 A. Correct.

18 Q. Why don't we take a short break here and we  
19 can wrap, Jerry.

20 MR. GREENE: Okay. Sounds fine.

21 (Recess.)

22 MS. BARTILSON: Q. Subject to the  
23 motions to compel -- or motion to compel that has been  
24 made necessary by some of the objections raised in all  
25 the different sections of your deposition, and subject to

1 the possibility that some of the -- I won't say that.  
2 Never mind.

3 Subject to the motion to compel, I think I'm  
4 ready to conclude your deposition on behalf of plaintiff  
5 in this case, Church of Scientology International.

6 Now, do you want to do a stipulation or not?

7 MR. GREENE: Let's see.

8 Yes. I just want to have the stipulation  
9 that a copy that we obtain will suffice for review  
10 purposes so that Mr. Armstrong need not sally forth to  
11 your office, Madam Court Reporter, to conduct a review.

12 MS. BARTILSON: So the court reporter will  
13 send to you a copy of the deposition?

14 MR. GREENE: Correct.

15 MS. BARTILSON: Which he may review?

16 MR. GREENE: Right.

17 MS. BARTILSON: How long does he want?

18 MR. GREENE: Standard time. Thirty days.

19 MS. BARTILSON: And copies of the  
20 deposition, in the meantime, can be used for any purposes  
21 and corrected copies can be used for any purposes in this  
22 litigation?

23 MR. GREENE: No, I won't stipulate that  
24 copies can be used without limitation for any purpose,  
25 because without him having a chance to review it, I won't

1 do that.

2 MS. BARTILSON: Once he's reviewed it?

3 MR. GREENE: Yes, of course. The  
4 corrections.

5 MS. BARTILSON: The corrections, once you  
6 have completed them, you will forward the corrections to  
7 me as I will be the custodian of the original transcript  
8 and the corrections.

9 MR. GREENE: Yes, that's fine.

10 MS. BARTILSON: And a corrected transcript  
11 can be used for any purposes in this litigation.

12 MR. GREENE: Yeah.

13 MS. BARTILSON: So stipulated.

14 (Deposition concluded.)

15 ---o0o---

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GERALD ARMSTRONG

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CERTIFICATE OF REPORTER

I, the undersigned, a Certified Shorthand Reporter of the State of California, hereby certify that the witness in the foregoing deposition was by me duly sworn to testify to the truth, the whole truth, and nothing but the truth in the within-entitled cause; that said deposition was taken at the time and place therein stated; that the testimony of said witness was reported by me, a Certified Shorthand Reporter and disinterested person, and was thereafter transcribed under my direction into typewriting; that the foregoing is a full, complete and true record of said testimony; and that the witness was given an opportunity to read and, if necessary, correct said deposition and to subscribe the same.

I further certify that I am not of counsel or attorney for either or any of the parties in the foregoing deposition and caption named, nor in any way interested in the outcome of the cause named in said action.

IN WITNESS WHEREOF, I have hereunder set my hand and affixed my signature this \_\_\_\_\_ day of NOV 06 1992

Barbara H. Stockford

CERTIFIED SHORTHAND REPORTER  
STATE OF CALIFORNIA

MARY HILLABRAND INC.

CERTIFIED SHORTHAND REPORTERS

520 SUTTER STREET / off UNION SQUARE SAN FRANCISCO, CA 94102

PHONE 415 / 788-5350 FAX 415 / 788-0657



IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF MARIN

--oOo--

CHURCH OF SCIENTOLOGY  
INTERNATIONAL, a California  
not-for-profit religious  
corporation,

Plaintiff,

vs.

GERALD ARMSTRONG; DOES 1-25,  
inclusive,

Defendants.

**CERTIFIED  
COPY**

No. BC 052395

DEPOSITION OF

GERALD ARMSTRONG

Volume III

October 7, 1992

REPORTED BY: LARRY BOSTOW, CSR# 5941

**MARY HILLABRAND INC.**

CERTIFIED SHORTHAND REPORTERS

520 SUTTER STREET / off UNION SQUARE SAN FRANCISCO, CA 94102

PHONE 415 / 788-5350 FAX 415 / 788-0657

CERTIFICATE OF REPORTER

I, the undersigned, a Certified Shorthand Reporter of the State of California, hereby certify that the witness in the foregoing deposition was by me duly sworn to testify to the truth, the whole truth, and nothing but the truth in the within-entitled cause; that said deposition was taken at the time and place therein stated; that the testimony of said witness was reported by me, a Certified Shorthand Reporter and disinterested person, and was thereafter transcribed under my direction into typewriting; that the foregoing is a full, complete and true record of said testimony; and that the witness was given an opportunity to read and, if necessary, correct said deposition and to subscribe the same.

I further certify that I am not of counsel or attorney for either or any of the parties in the foregoing deposition and caption named, nor in any way interested in the outcome of the cause named in said action.

IN WITNESS WHEREOF, I have hereunder set my hand and affixed my signature this \_\_\_\_\_ day of OCT 23 1992, 19\_\_\_\_

  
CERTIFIED SHORTHAND REPORTER  
STATE OF CALIFORNIA

MARY HILLABRAND INC.

CERTIFIED SHORTHAND REPORTERS

520 SUTTER STREET / off UNION SQUARE SAN FRANCISCO, CA 94102

PHONE 415 / 788-3350 FAX 415 / 788-0657



November 17, 1992

Larry Bostow, CSR  
Mary Hillabrand & Associates  
520 Sutter Street  
San Francisco, CA 94102

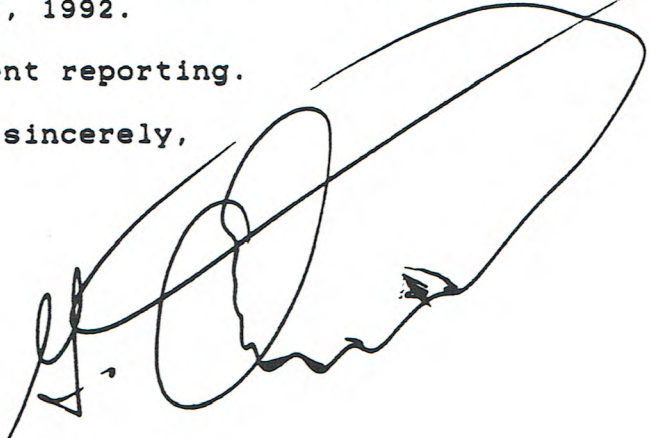
Re: Scientology v. Armstrong  
LASC No. BC 052395

Dear Mr. Bostow:

Pursuant to your letter of October 22, 1992, enclosed please find the completed correction sheet relating to my deposition taken in this case on October 7, 1992.

My compliments for excellent reporting.

Yours sincerely,

A large, stylized handwritten signature in black ink, likely belonging to Gerald Armstrong, is written over the "Yours sincerely," text.

Gerald Armstrong  
TGAC  
715 Sir Francis Drake Blvd  
San Anselmo, CA 94960

:ga  
Enclosures (1)

cc: Ford Greene, Esquire

OF

TAKEN ON October 7 1992

(Signature)

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF MARIN

--oOo--

CHURCH OF SCIENTOLOGY  
INTERNATIONAL, a California  
not-for-profit religious  
corporation,

Plaintiff,

vs.

GERALD ARMSTRONG; DOES 1-25,  
inclusive,

Defendants.

**CERTIFIED  
COPY**

No. BC 052395

DEPOSITION OF

GERALD ARMSTRONG

Volume III

October 7, 1992

REPORTED BY: LARRY BOSTOW, CSR# 5941

**MARY HILLABRAND INC.**

CERTIFIED SHORTHAND REPORTERS

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PHONE 415 / 788-5350 FAX 415 / 788-0657

1 MR. GREENE: That's fine. Fine.

2 THE WITNESS: I find it harrowing.

3 MS. BARTILSON: Q. Mr. Armstrong, here's an  
4 exhibit that was previously marked in your other  
5 deposition. I would like you to take a look at it,  
6 please. It's Exhibit 7.

7 MR. GREENE: Do you have a copy for me?

8 MS. BARTILSON: Actually, I think I do on  
9 this one.

10 MR. GREENE: Thank you.

11 MS. BARTILSON: Q. You've previously  
12 testified you executed this declaration. I just have a  
13 couple of additional questions about it that were not  
14 asked before.

15 The first question I have is: Did you  
16 yourself prepare this declaration? Did you draft it  
17 yourself?

18 A. And that has been asked and answered many  
19 times in great detail.

20 The answer is "Yes."

21 Q. Not in this case, if it has. Because that's  
22 what I have reviewed, is the deposition in this case. It  
23 hasn't been asked and answered, I can assure you.

24 Did you prepare it at Mr. Yanny's office?

25 A. Yes.

1 Q. Okay. And did you give it to Mr. Yanny when  
2 you completed it and executed it?

3 A. If, by that, you mean had he seen it prior  
4 to my execution of it, the answer is "No."

5 Q. No.

6 The question is: Did you give it to him  
7 after you had completed it and executed it?

8 A. In addition to showing it to him earlier?

9 Q. In addition to that or nothing.

10 When it was done, did you give it to him?  
11 Or did you give it to someone else? What did you do with  
12 the original when you completed it and executed it?

13 A. The original was left in his office.

14 Q. And when you left it in his office, was it  
15 with the intention that he could take it and use it and  
16 file it in court if he so chose to do so?

17 A. Yes.

18 Q. And you expected that he would do that,  
19 didn't you?

20 A. Yes.

21 MS. BARTILSON: This one, I have not talked  
22 about.

23 I'm going to mark this one Exhibit 9.

24 (Whereupon Plaintiff's

25 Exhibit 9 was marked.)

1 Q. Knowledge which you had gained because of  
2 your years of experience with the organization, as you  
3 term it?

4 A. Correct.

5 Q. Was the interview videotaped?

6 A. Yes.

7 Q. Was the entirety of the interview  
8 videotaped, or were there times that you also spoke with  
9 Mr. Knapp that were not videotaped?

10 A. If, by that, you mean when, for example, I  
11 may have helped him out with his camera gear, opened the  
12 door for him and said "Good-by," or helped him move  
13 things around and exchanged comments of that nature,  
14 then, no. I think that's how to answer it.

15 MS. BARTILSON: Could you read back the  
16 question and the answer, because I'm not sure --

17 MR. GREENE: He said that there was no  
18 substance aside from courtesies that -- there was  
19 nothing -- nothing was videotaped except --

20 Go ahead. Read it back.

21 MS. BARTILSON: I'm not sure that was the  
22 answer to the question. I just want to see what we've  
23 got.

24 Okay.

25 (Whereupon the record was read.)



---

# MARY HILLABRAND INC.

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CERTIFIED SHORTHAND REPORTERS

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Nov. 19, 1992

BOWLES & MOXON  
6255 Sunset Blvd.  
Ste. 2000  
Hollywood, Ca 90028

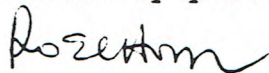
Dear Counselor:

In Re: CHURCH OF SCIENTOLOGY vs. ARMSTRONG  
Deposition of: Gerald Armstrong (Vol.III)

Attached are corrections which reflect the changes made by the deponent on a deposition with which your office was recently involved.

These changes have already been made on the original transcript. Please conform your copy as indicated.

Sincerely yours,



By: Rose Hom, Office Manager

cc:



# MARY HILLABRAND INC.

CERTIFIED SHORTHAND REPORTERS

Dec. 7, 1992

BOWLES & MOXON  
6255 Sunset Blvd.  
Ste. 2000  
Hollywood, CA 90028  
Attn: Laurie J. Bartilson, Atty at Law

In Re: CHURCH OF SCIENTOLOGY vs. ARMSTRONG

Dear Counselor:

We are enclosing the original of the deposition  
taken on Oct. 8, 92 by you to your office.

I am sure you are aware of the fact that all  
original depositions must be kept at the attorney's  
office, as per the new state law effective July 1, 1987.

Thank you very much for your attention.

Sincerely,

MARY HILLABRAND INC.

EXHIBIT I

1 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

2 IN AND FOR THE COUNTY OF MARIN

3 --oOo--

4  
5 CHURCH OF SCIENTOLOGY  
6 INTERNATIONAL, a California  
7 not-for-profit religious  
8 corporation,

**CERTIFIED  
COPY**

9 Plaintiff,

10 vs.

No. BC 052395

11 Gerald Armstrong; Does 1-25,  
12 inclusive,

13 Defendants.  
14 \_\_\_\_\_/

15 DEPOSITION OF

16 GERALD ARMSTRONG  
17 \_\_\_\_\_

18 Thursday, October 8, 1992

19 VOLUME IV  
20  
21  
22  
23  
24

25 REPORTED BY: BARBARA H. STOCKFORD, CSR No. 4575

**MARY HILLABRAND INC.**

CERTIFIED SHORTHAND REPORTERS

520 SUTTER STREET / OFF UNION SQUARE SAN FRANCISCO, CA 94102

PHONE 415 / 788-5350 FAX 415 / 788-0657

CERTIFICATE OF REPORTER

I, the undersigned, a Certified Shorthand Reporter of the State of California, hereby certify that the witness in the foregoing deposition was by me duly sworn to testify to the truth, the whole truth, and nothing but the truth in the within-entitled cause; that said deposition was taken at the time and place therein stated; that the testimony of said witness was reported by me, a Certified Shorthand Reporter and disinterested person, and was thereafter transcribed under my direction into typewriting; that the foregoing is a full, complete and true record of said testimony; and that the witness was given an opportunity to read and, if necessary, correct said deposition and to subscribe the same.

I further certify that I am not of counsel or attorney for either or any of the parties in the foregoing deposition and caption named, nor in any way interested in the outcome of the cause named in said action.

IN WITNESS WHEREOF, I have hereunder set my hand and affixed my signature this \_\_\_\_\_ day NOV 06 1992

NO RESPONSE TO  
NOTIFICATION SINCE  
11-6-92

ONSE TO  
TION SINCE

Barbara H. Stockford

CERTIFIED SHORTHAND REPORTER

STATE OF CALIFORNIA

MARY HILLABRAND INC.

CERTIFIED SHORTHAND REPORTERS

520 SUTTER STREET / off UNION SQUARE SAN FRANCISCO, CA 94102

PHONE 415 / 788-5350 FAX 415 / 788-0657

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of eighteen (18) years and not a party to the within action. My business address is 6255 Sunset Blvd., Suite 2000, Hollywood, CA 90028.

On February 17, 1993, I served the foregoing document described as PLAINTIFF'S REPLY TO DEFENDANT'S OPPOSITION TO PLAINTIFF'S MOTION TO COMPEL ANSWERS TO DEPOSITION QUESTIONS AND THE PRODUCTION OF DOCUMENTS PURSUANT TO NOTICE OF DEPOSITION; REQUEST FOR SANCTIONS AGAINST ARMSTRONG AND FORD GREENE PURSUANT TO C.C.P. §§ 2025(o) AND 2023; DECLARATION OF LAURIE J. BARTILSON on interested parties in this action as follows:

☐ by placing the true copies thereof in sealed envelopes as stated on the attached mailing list;

☒ by placing ☐ the original ☒ a true copy thereof in a sealed envelope addressed as follows:

Ford Greene      VIA FAX & U.S. MAIL  
Hub Law Offices  
711 Sir Francis Drake Boulevard  
San Anselmo, CA 94960-1949

☒ BY MAIL -- I deposited such envelope in the mail at Los Angeles, California. The envelope was mailed with postage thereon fully prepaid.

Executed on February 17, 1993, at Los Angeles, California.

☐ BY PERSONAL SERVICE -- I delivered such envelopes by hand to the offices of the addressee.

Executed on \_\_\_\_\_, at Los Angeles, California.

☒ (State) I declare under penalty of the laws of the State of California that the above is true and correct.

☐ (Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

\_\_\_\_\_  
Type or Print Name

\_\_\_\_\_  
Signature

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of eighteen (18) years and not a party to the within action. My business address is 6255 Sunset Blvd., Suite 2000, Hollywood, CA 90028.

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☐ by placing the true copies thereof in sealed envelopes as stated on the attached mailing list;

☒ by placing ☐ the original ☒ a true copy thereof in a sealed envelope addressed as follows:

Paul Morantz  
P.O. Box 511  
Pacific Palisades, CA 90272

☒ BY MAIL -- I deposited such envelope in the mail at Los Angeles, California. The envelope was mailed with postage thereon fully prepaid.

Executed on February 17, 1993, at Los Angeles, California.

☐ BY PERSONAL SERVICE -- I delivered such envelopes by hand to the offices of the addressee.

Executed on \_\_\_\_\_, at Los Angeles, California.

☒ (State) I declare under penalty of the laws of the State of California that the above is true and correct.

☐ (Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

\_\_\_\_\_  
Type or Print Name

\_\_\_\_\_  
Signature